

Appn. No. 10/622,944
Amendment dated February 16, 2006
Reply to Office Action mailed November 16, 2005

REMARKS

Reconsideration is respectfully requested.

Claims 1 through 14 remain in this application. No claims have been cancelled or withdrawn. Claims 15 through 17 have been added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraph 1 of the Office Action

Claims 1 through 14 have been rejected under 35 U.S.C. §112 (second paragraph) as being indefinite.

The above amendments to the claims are believed to clarify the requirements of the rejected claims, especially the particular points identified in the Office Action. Particularly, the paragraph formatting in claims 1 and 14 has been changed to reflect the points made in the Office Action.

Withdrawal of the §112 rejection of claims 1 through 14 is therefore respectfully requested.

Paragraph 2 of the Office Action

Claims 1, 5, 12, and 13 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Dunn in view of Levere or Warner.

Claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by Husak.

Claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by Levere.

Appln. No. 10/622,944
Amendment dated February 16, 2006
Reply to Office Action mailed November 16, 2005

Claim 1, particularly as amended, requires in part "means for adjusting a distance between said first bar and said third bar by selectively increasing and decreasing a length of said second bar".

It is submitted that the cited patents, and especially the allegedly obvious combination of Dunn, Lever, Warner, and Husak set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, claims 5, 12, and 13, which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §102(b) and §103(a) rejection of claims 1, 5, 12, and 13 is therefore respectfully requested.

Paragraph 5 of the Office Action:

Claim 14 has been indicated as being allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in the Office Action.

In view of the changes to claim 14 set forth above, it is submitted that claim 14 is in condition for allowance.

Paragraph 6 of the Office Action

Paragraph 1 of the Office Action states that claims 2 through 4 and 6 through 11 would be allowable if written into independent form with the limitations of the base claim and any intervening claims.

The above amendment incorporates the limitations of claim 1 (in its original form) into the recitation of claim 2, and therefore claim 2 is believed to be in condition for allowance. Claims 3, 4, and 6 through 11, by virtue of their dependency from amended claim 2, are also submitted to be in condition for allowance.

Appln. No. 10/622,944
Amendment dated February 16, 2006
Reply to Office Action mailed November 16, 2005

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

WOODS, FULLER, SHULTZ & SMITH P.C.



Date: FEB 16, 2006

Jeffrey A. Proehl (Reg. No. 35,987)
Customer No. 40,158
P.O. Box 5027
Sioux Falls, SD 57117-5027
(605)336-3890 FAX (605)339-3357